

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:07CR3143
)	
V.)	
)	
MICHAEL DUAYNE WASHINGTON,)	MEMORANDUM
)	AND ORDER
)	
Defendant.)	
_____)	

Because the defendant was held responsible for 474.71 grams of crack cocaine and a base offense level of 32 at the time he was sentenced, and because the 2011 Guidelines establish a base offense level of 32 for between 280 grams but less than 840 grams of crack, it is apparent that Mr. Washington is not entitled to relief as a result of the retroactivity of the new Guidelines. Therefore,

IT IS ORDERED that the Motion to Appoint Counsel for purpose of seeking a sentence reduction pursuant to the retroactive crack cocaine Guidelines (filing no. 49) and related motion for transcript (filing no. 50) are denied.

DATED this 5th day of August, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge